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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,474	01/18/2002	Steven Spicer	T8465681US	7737
26912	7590	11/07/2006	EXAMINER	
GOWLING LAFLEUR HENDERSON LLP SUITE 1600, 1 FIRST CANADIAN PLACE 100 KING STREET WEST TORONTO, ON M5X 1G5 CANADA			WALSH, JOHN B	
			ART UNIT	PAPER NUMBER
			2151	

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/926,474	SPICER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	John B. Walsh	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on RCE of 8/21/2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6, 10-15 and 19-33 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,4,10,13,19,23 and 27-32 is/are rejected.  
 7) Claim(s) 2, 3, 5, 6, 11, 12, 14, 15, 20-22, 24-26 and 33 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4, 10, 13, 19, 23 and 27-32 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,092,114 to Shaffer et al.

As concerns claims 1, 10 and 19, a data receiver for receiving a request for transmission of an incoming message including an attachment document (column 1, lines 15-25) to a network terminal over a communications network (column 1, lines 23-27), the attachment document including content for presentation on the network terminal and presentation data defining the presentation of the content on the network terminal (column 1, lines 47-50; document includes multiple types of data which is accessed by the client); a data processing system (column 1, lines 23-27; sender) in communication with the data receiver for converting the attachment document in accordance with at least one data filtration parameter to accommodate data resolution capabilities of the network terminal, the data processing system being configured to perform the conversion by reducing the number of bytes occupied by the presentation data to provide the converted data including the content and the reduced presentation data (attachment converted to text; column 4, line 45- when converting from one format to another a reduction in size, bytes, may be incurred; column 5, lines 55-65); and a data transmitter (transmitter of server) in

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communication with the data processing system for transmitting an outgoing message containing converted data to the network terminal over the communications network (figure 3).

As concerns claims 4 and 13, the presentation data includes at least one of text font data and text attribute data, and the data processing system is configured to perform the conversion by reducing the number of bytes occupied by the at least one of text font data and text attribute data (column 1, lines 47-50; converts original content into text with its own font and attribute for sending ; attachment converted to text; column 4, line 45- when converting from one format to another a reduction in size, bytes, may be incurred; column 5, lines 55-65).

As concerns claim 23, converting the attachment document to accommodate data resolution capabilities of the network terminal by reducing the number of bytes occupied by the presentation data to provide a converted document including the content and the reduced presentation data, and transmitting to a network terminal over a communications network the converted document (column 1, lines 47-50; MIME; column 1, lines 47-50; document includes multiple types of data which is accessed by the client; attachment converted to text; column 4, line 45- when converting from one format to another a reduction in size, bytes, may be incurred; column 5, lines 55-65 ); receiving from the network terminal a request for transmission of at least the content of the attachment document to the network resource (column 1, lines 23-27); and initiating transmission of the converted document to the network resource in accordance with an access level defined for the network resource (column 1, lines 8-12; figures 2-3).

As concerns claim 27, wherein the network resource has a network address (inherent for a network device/resource to have a network address), the network resource transmission request includes an indication of the network address (inherent, request needs address of where to send

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message), the network address indication comprising a pseudo-name associated with the network resource but distinct from the network address (memory location at the sender for the network address of the receiver), and the network resource transmitting step comprises querying a resource registry with the pseudo-name for the access level (column 3, lines 1-20).

As concerns claims 28, 29 and 32, the attachment document including raster image data, and the data processing system is configured to convert the image data to text for reducing the number of bytes occupied by the content and presentation data included in the converted data (column 1, lines 47-51; attachment converted to text; column 4, line 45- when converting from one format to another a reduction in size, bytes, may be incurred; column 5, lines 55-65).

As concerns claim 30, wherein the network resource has a network address (inherent for a network device/resource to have a network address), the network resource transmission request includes an indication of the network address (inherent, request needs address of where to send message), the network address indication comprising a pseudo-name associated with the network resource (memory location at the sender for the network address of the receiver) but distinct from the network address, and the data processing system is configured to determine the access level by querying a resource registry with the pseudo-name (column 3, lines 1-20).

As concerns claim 31, the presentation data includes at least one of text font data and text attribute data, the converting step comprises reducing the number of bytes occupied by the at least one font text data and text attribute data (column 1, lines 47-50; converts original content into text with its own font and attribute for sending; converts original content into text with its own font and attribute for sending ; attachment converted to text; column 4, line 45- when

converting from one format to another a reduction in size, bytes, may be incurred; column 5, lines 55-65).

***Response to Arguments***

3. Applicant's arguments filed August 21, 2006 have been fully considered but they are not persuasive.

As concerns the applicant's arguments of Shaffer, the applicant argues Shaffer does not disclose displayable text and does disclose providing the original unchanged message text. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

***Allowable Subject Matter***

4. Claims 2, 3, 5, 6, 11, 12, 14, 15, 20-22, 24-26 and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Thursday from 7:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



John B. Walsh  
Primary Examiner  
Art Unit 2151